

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

FEDERAL INSURANCE COMPANY,
an Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

Defendants.

**DECLARATION OF
TERRENCE J. FLEMING IN
SUPPORT OF DEFENDANTS'
MOTION TO EXCLUDE PORTIONS OF
EXPERT REPORT AND TESTIMONY
OF RANDOLPH BICKLEY
WHITENER**

I, Terrence J. Fleming, declare as follows:

1. I am an attorney at Fredrikson & Byron, P.A. and am one of the attorneys representing Defendants Federal Insurance Company ("Federal") and ACE American Insurance Company in this case.

2. Attached as **Exhibit 1** is a copy of the Expert Report of Randolph Bickley Whitener.

3. Attached as **Exhibit 2** is a copy of excerpts from the expert deposition of Randolph Bickley Whitener.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: July 26, 2019

s/ Terrence J. Fleming